

### **REMARKS**

In the Final Office Action,<sup>1</sup> the Examiner rejected claims 5, 7-16, and 25-28 under 35 U.S.C. § 112, second paragraph; and rejected claims 5, 7-16, and 25-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,259,405 to Stewart et al. ("Stewart") in view of U.S. Patent No. 6,563,919 to Aravamudhan et al. ("Aravamudhan") and further in view of European Publication No. WO 99/63416 to Turpeinen, Marko ("Marko").

Applicants propose to amend independent claims 5 and 14. Upon entry of this amendment, claims 5 and 7-28 would remain pending, with claims 17-24 withdrawn from consideration.

Applicants respectfully traverse the rejection of claims 5, 7-16, and 25-28 under 35 U.S.C. § 112, second paragraph. The Examiner alleges: "[t]he specification fails to clearly suggest 'generating service request...by excluding the temporary identifier from the communication control information.'" Final Office Action at 4 (emphasis in original). Applicants disagree. As proposed to be amended, independent claim 5 requires storing "communication control information without the user identifier, the communication control information including a service request identifier, a service provider name, the location information, the temporary identifier, and the parameter." See Applicants' Specification at Figs. 4A, 4B. When a request is sent from the wireless gateway, the temporary identifier is excluded from the communication control information to create a service request packet without the temporary identifier. See Applicant's Specification at

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Fig. 4B; 5A; p. 20, lines 1-23.<sup>2</sup> Independent claim 14 is proposed to be amended to include similar recitations. Accordingly, Applicants respectfully submit that claims 5, 7-16, and 25-28 fully comply with § 112 and request the Examiner to withdraw the rejection under § 112.

Applicants respectfully traverse the rejection of claims 5, 7-16, and 25-28 under 35 U.S.C. § 103(a) as being unpatentable over Stewart in view of Aravamudhan, and further in view of Marko. A *prima facie* case of obviousness has not been established at least because the differences between the prior art and Applicants' claims are such that it would not have been obvious for one of ordinary skill in the art at the time of the invention to modify the prior art to arrive at Applicants' claimed invention.

Independent claim 5, as proposed to be amended, recites a combination including, for example, a wireless gateway that "converts the user identifier to a temporary identifier to conceal the user identifier" and "stores communication control information without the user identifier, the communication control information including a service request identifier, a service provider name, the location information, the temporary identifier, and the parameter" (emphasis added). None of Stewart, Aravamuhan, and Marko, taken individually or in combination, teaches or suggests the claimed wireless gateway.

The Examiner acknowledges that "Stewart does not disclose the process of converting the user identifier to a temporary identifier and storing the temporary to conceal the user identifier." Final Office Action at 7. The Examiner, however relies on

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<sup>2</sup> In making various references to the specification and drawings set forth herein, it is to be understood that Applicants are in no way intending to limit the scope of the claims to the exemplary embodiments shown in the drawings and described in the specification. Rather, Applicants expressly affirm that they are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Aravamudhan for allegedly teaching “storing the user id and the temporary id in a correspondence table.” Final Office Action at 7. However, even assuming this allegation is true, storing a user identifier, as allegedly disclosed by Aravamudhan, is the opposite of “stor[ing] communication control information without the user identifier,” as recited by claim 5 (emphasis added). Indeed, because Aravamudhan allegedly stores a correspondence table between a user identifier and a temporary identifier, Aravamudhan remains vulnerable to discovering a user identifier.

Marko fails to cure the deficiencies of Stewart and Aravamudhan. Marko discloses that a client (c) contacts a service provider (SP) via the Internet, and provides the service provider with a client identity (CID) and a password (PW). Marko, Fig. 1. The service provider (SP) transmits the client identity (CID) and client's profile data (PR(CID)) to a content provider (CP). Marko, Fig. 1. The content provider (CP) adapts a service according to a client's profile data (PR(CID)), and provides the client (C) with the service. Marko, Fig. 1. That is, in the Marko system, the “server of the SP then transmits to the server of the CP a service request which preferably contains: the identity of the server SP, the client identity, the client profile, [and] service control data.” Marko, p. 4:9-14. Marko uses “encryption . . . to convert the identity and/or profile data of the client into such a form that the CP cannot recognize the client's identity if the service in question is anonymous.” Marko, p. 4:23-26. However, as clearly illustrated in Fig. 1, Marko's content provider receives an encrypted client identifier (see arrow (3)), the encrypted profile, and the service provider identifier.

Storing and transmitting a client identifier, regardless of whether it is encrypted, does not constitute a teaching or suggestion of “stor[ing] communication control

information without the user identifier,” as recited by claim 5 (emphasis added). Marko therefore fails to cure the deficiencies of Stewart and Aravamudhan discussed above.

Moreover, independent claim 5 recites a wireless gateway that “generates service request information without the user identifier and without the temporary identifier by excluding the temporary identifier from the communication control information, the service request information including the service request identifier, the service provider name, the location information, and the parameter, and sends the service request information to the service provider” (emphasis added). The Examiner acknowledges that neither Stewart nor Aravamuhan teaches or suggests at least this element. Final Office Action at 2. The Examiner, however, alleges that Marko discloses the claimed “service request information without the user identifier and without the temporary identifier.” Final Office Action at 2. Applicants disagree.

Marko discloses encrypting a client identifier, not excluding it. As illustrated in Fig. 1 of Marko and discussed above, the client identifier (CID) is transmitted to server SP, server PP, and server CP. The Examiner incorrectly concludes that because Marko discloses encrypting the client identifier, “it is impossible to decrypt the data” and “[t]he CP will not be able to find out the client’s identity.” Final Office Action at 3. Even without a key to decrypt the client identifier, encryption algorithms can be broken, allowing malicious access to the client identifier when employing the system of Marko. Only by “excluding the temporary identifier,” as recited by claim 5, can the possibility of discovering a user identity be avoided. None of Stewart, Aravamudhan, and Marko, taken individually or in combination, teaches or suggests “excluding the temporary

identifier," as recited by claim 5. Indeed, Marko teaches away from claim 5 by requiring transmission of the client identifier.

In view of the deficiencies of the cited references and the differences between Applicants' claims and the cited references discussed above, the Final Office Action has not properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention. Accordingly, the Final Office Action has failed to clearly articulate a reason why the claimed invention would have been obvious to one of ordinary skill in view of the prior art. Therefore, a *prima facie* case of obviousness has not been established for independent claim 5.

Independent claim 14, although of different scope than claim 5, patentably distinguishes from the prior art for at least the same reasons as claim 5. Claims 7-13, 15, 16, and 25-28 depend from independent claims 5 or 14 and therefore include all of the elements recited therein. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 5, 7-16, and 25-28 under 35 U.S.C. § 103(a) as being unpatentable over Stewart in view of Aravamudhan, and further in view of Marko.

Applicants respectfully request that the Examiner enter this Amendment under 37 C.F.R. § 1.116, placing claims 5, 7-16, and 25-28 in condition for allowance. Applicants submits that the proposed amendments of claims 5 and 14 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. Entering the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance. Finally, entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

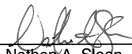
Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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Dated: March 20, 2008

By: \_\_\_\_\_

  
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